

12 October 1983

MEMORANDUM FOR: Deputy Director for Administration
Associate Deputy Director for Administration

FROM:

Directorate of Administration
Information Review Officer

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SUBJECT: Comments on the Bill (S-1324) to Amend the National
Security Act of 1947 aka the FOIA Relief Bill

REFERENCE: Multiple Addressee Memo from
OLL, dated 7 October 1983

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1. The bill will:

- a. Eliminate the burden to the Agency of searching and reviewing operational files under the provisions of the FOIA.
- b. Eliminate the inadvertent release of intelligence sources and methods.
- c. Assure those who cooperate with our country at great personal risk that the United States is able to maintain the confidentiality of such relationships and to safeguard the information entrusted to it.
- d. Have no great impact on the FOIA requests in the DA. It will, however, prevent the inadvertent release of operational information from Security files.

2. For this the Agency must:

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- a. Review designated files every 10 years to see if they can be de-designated.
 - b. Submit to judicial review designations that are alleged to be improper.

3. As a result the Agency is expected to:

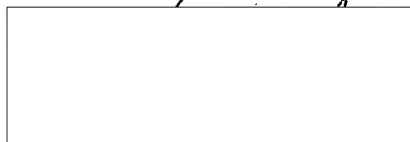
- a. Respond to other requests under the Act in a more timely and efficient manner.

- b. Conduct a search and review in other significant components, such as the Directorate of Administration.
 - c. Use the resources and personnel freed by the bill's impact on search and review to eliminate the backlog.
 - d. Substantially reduce the backlog.
 - e. Use the resources and personnel freed by elimination of the backlog to augment resources for search and review of non-designated files.
 - f. Not reduce its budget allocation for FOIA for two years following enactment.
4. New oversight as a result of the bill:
- a. The SSCI will examine the question of budgetary and personnel allocation for FOIA during the annual Agency budget authorization.
 - b. The SSCI will regularly and closely scrutinize the CIA's implementation of each aspect of the program to ensure that concrete results are achieved.
 - c. The Committee expects its oversight performance to be facilitated by periodic progress reports and meetings in which Committee members will be apprised of the status of the Agency's FOIA processing operation.
 - d. The Committee intends to take actions as may be necessary to ensure that all FOIA requests are responded to in a timely manner and treated with the courtesy required by the spirit, as well as the letter, of the FOIA.
5. My observations are:
- a. It is too late for any changes in the bill in the Senate; therefore, no response is necessary to referent.
 - b. There will be an increase in FOIA requests. Requesters will expect faster service and when they don't get it, they will sue.

- c. FOIA litigation will not decrease; it will probably increase.
- d. There will still be a long queue in the DO because more requests for intelligence reports, both raw and finished, will result in more referrals to the DO, since these reports contain information from DO sources.
- e. The backlog will not be significantly reduced (the estimate is 400 out of 3,000), nor will the processing time. It may, however, shift somewhat to different components.
- f. The publicity surrounding the bill has caused an awakening and a renewed interest by the historians; therefore, we can expect more requests and contacts from them. (Article in the Washington Post Sunday 10/9/83)
- g. We will have closer oversight by the SSCI of our FOIA/PA/EO activities.
- h. From the Agency's standpoint, I am still pulling for passage of the bill, since it will eliminate the possibility of human error in inadvertently releasing information that could cause harm to sources and damage to methods.

6. In paragraphs 1 through 4, above, I have either used or paraphrased the actual language in the bill and the Committee report.

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cc:

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